JUN 2 2 2001 ET

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Michael Z. Gilman

Serial No.:

09/676,834

Filed:

September 29, 2000

For: NEW APPLICATIONS OF GENE THERAPY TECHNOLOGY

Attorney Dkt: APBI-P04-340 (formerly APV-340.04)

Commissioner for Patents Washington, D.C. 20231

Attn: Customer Service Center

Initial Patent Examination Division

### TRANSMITTAL LETTER

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application mailed November 20, 2000, the following is enclosed:

- 1. Copy of Notice to File Missing Parts of Nonprovisional Application (1 p.);
- 2. Response to Notice to File Missing Parts of Nonprovisional Application (1 p.);
- 3. Request for a Five-Month Extension of Time to June 20, 2001;
- 4. Copy of previously filed executed Declaration (2 pp.);
- 5. Copy of previously filed Small Entity Statement (1 p.);
- 6. Copy of previously filed Associate Power of Attorney (2 pp.);
- 4. Change of correspondence address and attorney docket number;
- 5. Postpaid Return Postcard.

The undersigned authorizes the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 18-1945. The undersigned requests any extensions of time necessary to respond.

I hereby certify that this correspondence is deposited with the United States Flostal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

June 20, 2001

Respectfully submitted,

ROPES & GRAY, LLP

Matthew W. Vincent Reg. No. 36,709

One International Place

Boston, MA 02110 Tel. (617) 951-7000



## United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspfo.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER

09/676,834

09/29/2000

Michael Z. Gilman

APV-340.04

David L Berstein Ariad Pharmaceuticals Inc 26 Landsdown Street Cambridge, MA 02139-4234



Date Mailed: 11/20/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The statutory basic filing fee is missing.
 Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
 06/26/2001 MBERHE 00000054 181945 09676834

Total additional claim fee(s) for this application is \$534

\$144 for 8 total claims over 20.

■ \$390 for 5 independent claims over 3.

06/26/2001 MBERHE 00000054 181945 01 FC:201 355.00 CH 02 FC:205 65.00 CH 03 FC:203 72.00 CH 04 FC:202 200.00 CH

• The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e)
of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• The balance due by applicant is \$ 1354.

08/01/2001 YGIZAW 00000002 181945 09676834

01 FC:202

135.00 CH

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Michael Z. Gilman

Serial No.:

09/676,834

Filed:

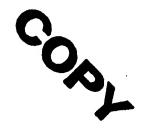
September 29, 2000

For: NEW APPLICATIONS OF GENE THERAPY TECHNOLOGY

Attorney Dkt: APBI-P04-340 (formerly APV-340.04)

Commissioner for Patents Washington, D.C. 20231

Attn: Customer Service Center; Initial Patent Examination Division



Too.

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

Copy of Notice to File Missing Parts of Nonprovisional Application;

Request for a Five-Month Extension of Time to June 20, 2001;

Copy of previously filed Small Entity Statement;

Copy of previously filed executed Declaration;

Copy of previously filed Associate Power of Attorney; and

Change of correspondence address and attorney docket number

The undersigned authorized charging the \$355 basic filing fee; the \$65 surcharge for a small entity, extra claims fees of \$447; for a total of \$867, along with the charging of any additional fees and crediting of any overpayment associated with this communication to our Deposit Account No. 18-1945. The undersigned requests any extensions of time necessary to respond. A duplicate of this page is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231 on:

June 20, 2001

Date

Respectfully submitted,

ROPES & ORAY, LLP

Marthew P. Vincent, Reg. No. 36,709

One International Place Boston, MA 02110

Tel. (617) 951-7000